

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-12070 - APPLICANT: 1300 SOUTH, LLC/OWNER:
MYTHIC MANAGEMENT, LLC.

THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 12, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (6-0-1 vote/rt) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
5. Dedicate a 25 foot radius on the southwest corner of Colorado Street and Casino Center Boulevard.
6. If not already constructed at the time of development of this site, coordinate with the Collection Systems Planning Section of the Department of Public Works for the extension of an oversized sewer line in Third Street from Charleston Boulevard to Colorado Street and continuing west on Colorado Street to the western edge of this site concurrent with development of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Rezoning from R-4 (High Density Residential) to C-2 (General Commercial) on 0.30 acres adjacent to the southwest corner of Colorado Avenue and Casino Center Boulevard for a mixed-use high-rise development.

EXECUTIVE SUMMARY

This mixed-use project features 8,294 square feet of commercial/retail space on the ground floor, 8-stories of parking garage and 34 floors of condominium units. A waiver of the step back requirement is needed for the south and west building elevations as these are along the property line and the alley. The project is designed within Downtown Centennial Plan standards with the exception of the step back waiver.

BACKGROUND INFORMATION

A) *Related Actions*

- 04/13/06 The Planning Commission held in abeyance a companion Site Development Review (SDR-12071) to properly notify.
- 04/13/06 The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #27/yk).
- 04/27/06 The Planning Commission voted 5-0-1/rt to recommend approval of a companion Site Development Plan Review (SDR-12071).

B) *Pre-Application Meeting*

- 02/13/06 Staff reviewed the application requirements for the proposed project with the applicant. It was noted that a waiver for step back requirements would be needed.

C) *Neighborhood Meetings*

A neighborhood meeting is not required as part of this application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.30 acres

B) Existing Land Use

Subject Property: Multifamily Residential Use
North: Commercial/Retail
South: Multifamily Residential Use
East: Commercial/Retail
West: Commercial/Industrial Use

C) Planned Land Use

Subject Property: Mixed Use
North: Mixed Use
South: Multifamily Residential Use
East: Mixed Use
West: Commercial/Industrial Use

D) Existing Zoning

Subject Property: R-4 (High-Density Residential)
North: C-1 (Service Commercial)
South: C-2 (General Commercial)
East: ROIZONE C-1 (Service Commercial)
West: C-M (Commercial/Industrial)

E) General Plan Compliance

The site is located within the boundaries of the Las Vegas Redevelopment Plan, and is subject to the land use designations identified in the Redevelopment Plan. The Redevelopment Plan designates the parcel as Mixed Use, which allows low- to high-density residential uses, office uses, service commercial uses, general commercial uses, and public facilities.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

In addition to being located within the Las Vegas Redevelopment Plan, the property is also within the boundaries of the Downtown Centennial Plan. The Centennial Plan identifies the property as belonging to the Downtown South sub-area. The property is also within the 18b The Las Vegas Arts District.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	20,044 SF	N/A
Min. Lot Width	N/A	150'	N/A
Min. Setbacks			
• Front	0 Feet	13 Feet	Y
• Side	N/A	0 Feet	N/A
• Corner	0 Feet	25 Feet	Y
• Rear	N/A	0 Feet	N/A
Max. Lot Coverage	Up to 100%	84%	Y
Max. Building Height	N/A	498 Feet	N/A
F.A.R.	N/A	N/A	N/A
Trash Enclosure	Walled/roofed	Interior	Y
Loading Zone	2	0	N
Mech. Equipment	Screened	Not indicated	Not indicated

The proposed development will conform with the building placement requirements listed in the Centennial Plan, and will conform with most other site-related development standards. A Waiver has been requested from the Centennial Plan building stepback requirements. There are no loading zone spaces while two loading spaces are technically required by code, commercial vehicles may utilize the alley behind the property for loading and unloading, and there is room within the parking area on the ground floor that may also be used for loading functions without impacting traffic on adjacent streets.

B) General Analysis and Discussion

- Zoning

The proposed mixed-use tower is a permitted use within the General Commercial (C-2) zoning designation and does not require a Special Use Permit as it is in the 18b Las Vegas Arts District that does not require one for mixed-use projects. The proposed zoning is consistent with the Mixed Use land use designation. In addition, it will be consistent with the existing C-2 designation located just south of the subject site.

- Site Plan

This mixed-use tower has retail space oriented on both the Colorado and Casino Center street frontages. The main lobby area for entrance to the condo units is off of Casino Center Boulevard. The project is providing 11-foot wide sidewalks with a 5-foot amenity area for landscaping as called for in the Downtown Centennial Plan.

- Waivers

The only waiver is for the building step-back requirement at the 4th, 11th, and 18th floors. Staff recommends approval as the building has several architectural embellishments at various levels of the structure that provides vertical relief to the elevations.

- Landscape Plan

The landscape plan as proposed meets the Downtown Centennial Plan standards.

- Elevation

The building has several vertical layers of exterior finishes ranging from painted stucco to a glass curtain wall with a solar bronze finish. The lower garage levels should have additional architectural details to better blend this section of the building with the upper section.

- Floor Plan

The ground level of has commercial space, a lobby area and garage access as well as rooms for trash receptacles and fire control. Several levels of parking are then followed by typical unit floor plans. The units tend to be on the smaller size with the largest unit being only 1,014 square feet.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The proposed rezoning to C-2 (General Commercial) is compatible with the Mixed Use designation of this site by the Las Vegas Redevelopment Plan and the Downtown Centennial Plan.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The commercial/residential use proposed by the applicant is compatible with the surrounding land uses and zoning districts.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The proposed rezoning supports the goals and objectives of the Downtown Centennial Plan and the Las Vegas Redevelopment Plan, which encourages mixed-uses of commercial/residential projects in the downtown area.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

Colorado Street and Casino Center Boulevard are both fully developed and will provide adequate access to the site.

PLANNING COMMISSION ACTION

There were two speakers opposed to the project at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 10

SENATE DISTRICT 9

NOTICES MAILED 162 by Planning Department

APPROVALS 0

PROTESTS 0